

Amendments to the Drawings:

The attached replacement sheet (Replacement Sheet 1 of 25) to the drawings includes changes to Figure 1. No new matter is added to the specification by these changes. Replacement Sheet 1 of 25 replaces originally-filed Figure 1. Sheets 2-25 of the drawings and Figures 2-4, 5A-B, 6A-C, 7-19, 20A-B, 21, and 22 provided therein remain in the application without change after this amendment is entered.

In Figure 1 of the Replacement Sheet, a dashed box is added around the originally-depicted components of System 100 and labeled Computer, Computer System, or Group of Computer Systems.

Attachment: Replacement Sheet (1)

REMARKS

This communication is in response to the USPTO Office Action of March 25, 2008. Reconsideration of the amended application is respectfully requested in view of the following remarks. Claims 1, 3-6, and 24-70 remain in the application after this amendment is entered.

I. THE OFFICE ACTION

The drawings are objected to under 37 CFR § 1.83(a) for allegedly failing to show “computer systems” as described in the specification.

Claims 1, 3-6, and 24-48 stand rejected under 35 U.S.C. § 101 for being directed to a system, computing steps, or apparatus that are allegedly not a physical device that constitutes a machine or lacking physical articles or objects to constitute a machine or a manufacture.

Claims 1, 3-6, and 24-70 are identified as being directed to subject matter that would be allowable if the drawing objections and § 101 rejections stated above are overcome.

II. THE DRAWING OBJECTIONS

A. Drawings Are Compliant with 37 CFR § 1.83(a).

Paragraph 50 of the originally-filed specification describes Fig. 1 and states that “System 100 exists on any suitable computer, computer system or related group of computer systems known in the art.” A dashed box is added around the originally-depicted components of system 100 in Fig. 1 on the attached Replacement Sheet. The dashed box is labeled Computer, Computer System, or Group of Computer Systems to show that system 100 includes a computer, a computer system, or a group of computer systems. No new matter is added to the application by this change to Fig. 1.

Based at least on the foregoing, the Applicants submit that the drawings are now consistent with the originally-filed specification and compliant with 37 CFR 1.83. Accordingly, the Applicants respectfully request that the objections to the drawings be withdrawn.

III. THE § 101 REJECTIONS

A. Claims 1 and 3-6 Are Directed to Patentable Subject Matter Under 35 U.S.C. § 101.

In pertinent part, amended independent claim 1 recites:

“A system ..., ... comprising:

one or more computer systems, comprising:

a plurality of data sources, at least two data sources having
a physical or logical structure differing from at least one other data
source, ...;

a database ...;

a plurality of data source query function calls, each query
function call querying a single data source”

The “one or more computer systems” element of claim 1, for example, finds support in paragraph 50 of the originally-filed specification which describes Fig. 1 and states that “System 100 exists on any suitable computer, computer system or related group of computer systems known in the art.” A “suitable computer, computer system, or group of computer systems known in the art” is a physical device and is not merely abstract and logical. Notably, “one or more computer systems” is not “data structure per se” or “computer listings per se.” For example, when a computer program is recited in conjunction with a physical structure, the corresponding claim should be viewed as a product claim. (see MPEP 2106.01 [R-6] (I)) Based at least on the foregoing, the Applicants submit that the “one or more computer systems” element of claim 1 defines physical structure that constitutes a machine.

Accordingly, claim 1 and claims dependent thereon (i.e., claims 3-6) are directed to patentable subject matter under 35 U.S.C. § 101. Based at least on the foregoing, the Applicants respectfully submit that claims 1 and 3-6 are currently in condition for allowance.

Additionally, the Office Action (see page 3, paragraph 5(I)) refers paragraphs 7 and 8 of the specification and infers the certain features in these paragraphs may need to be incorporated

into claim 1. It is unclear how this relates to the § 101 rejection. Nevertheless, the following paragraphs address these points.

Regarding paragraph 7, the specification describes one embodiment of the invention and states that a system includes “a plurality of data sources, ... at least one having a physical or logical structure differing from at least one other.” Based at least on the foregoing, the Applicants respectfully submit that the “plurality of data sources” element of claim 1 and the “at least two data sources having a physical or logical structure differing from at least one other data source” limitation is consistent with at least paragraph 7 of the specification.

Regarding paragraph 8, the specification describes one embodiment of the invention and states that a system includes “a UniDimNet” and “a plurality of UniViews.” Paragraph 52 of the specification states that “a UniDimNet [e.g., see Fig. 3, 210] is a database.” Based at least on the foregoing, the Applicants respectfully submit that the “database” element of claim 1 is consistent with at least the combination of paragraphs 8 and 52 of the specification. Moreover, paragraph 73 of the specification states that “a UniView takes the form of a function call ... wherein “result” is the requested information which is returned from the data source in response to the query. Paragraph 80 of the specification describes how multiple UniViews (e.g., see Fig. 10, 1020, 1022, and 1032) are called to query corresponding multiple data sources. Based at least on the foregoing, the Applicants respectfully submit that the “plurality of data source query function calls” element of claim 1 and the “each query function call querying a single data source” limitation is consistent with at least the combination of paragraphs 8, 73, and 80 of the specification.

B. Claims 24-43 and 44-48 Are Directed to Patentable Subject Matter Under 35 U.S.C. § 101.

In pertinent part, amended independent claims 24 and 44 recite:

“A system..., ... including:

one or more computer systems”

The Applicants respectfully submit that the same arguments above used to traverse the rejection of claim 1 under 35 U.S.C. § 101 also apply to the § 101 rejections of claims 24 and 44

because the same “one or more computer systems” element is recited in amended claims 24 and 44. Based at least on the foregoing, claim 24 and claims dependent thereon (i.e., claims 25-43), as well as claim 44 and claims dependent thereon (i.e., claims 45-48), are directed to patentable subject matter under 35 U.S.C. § 101. Accordingly, the Applicants respectfully submit that claims 24-48 are currently in condition for allowance.

Additionally, the Office Action (see page 4, paragraph 5(II)) refers to use of the term “apparatus” in the preamble of claims 24 and 44 and infers that this term is not supported by the originally-filed specification, claims, or drawings. It is unclear how this relates to the § 101 rejection. Nevertheless, to address this point, the preambles of claims 24 and 44 are amended to replace “apparatus” with “system.” The term “system,” for example, finds support in paragraph 50 of the originally-filed specification which describes Fig. 1 and states that “System 100 exists on any suitable computer, computer system or related group of computer systems known in the art.” Moreover, the term “system” was used in the preamble of originally-filed claim 1. Based at least on the foregoing, the Applicants respectfully submit that the term “system” in the preamble of claims 24 and 44 is defined (and supported) by the originally-filed specification, claims, and drawings.

CONCLUSION

Based on the foregoing remarks, the Applicants believe that all claims in this application (i.e., claims 1, 3-6, and 24-70) are now in condition for allowance and an indication to that effect is earnestly solicited. Furthermore, if the USPTO believes that additional discussions or information might advance the prosecution of this application, the USPTO should feel free to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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